

REMARKS

Claims 1, 3-13 and 16-20 are pending in this application. Claims 1 and 3-9 are herein amended. Claims 2, 14 and 15 are herein cancelled. Claims 10-13 and 16 are withdrawn. New claims 17-20 are herein added. No new matter is added.

Claim Objection

Claims 1 and 9 were objected to due to informality.

Claims 1 and 9 are herein amended. Applicants respectfully request that the objection be withdrawn.

Claim Rejections - 35 USC § 112

Claim 2 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Claim 2 is herein cancelled. In light of cancelling claim 2, this rejection is rendered moot.

Claim Rejections Under Miyazawa

Claims 1-4, 9, and 14 were rejected under 35 U.S.C. §102(a) as being anticipated by Miyazawa et al. (U.S. Patent Application Publication No. 2002/0191287) (hereinafter Miyazawa) and claims 4-8, 14 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Miyazawa et al. (U.S. Patent Application Publication No. 2002/0191287). Applicants respectfully traverse these rejections.

Miyazawa discloses a polarizer and an optical device using said polarizer. In Miyazawa, the polarization plate (42), as shown in Fig. 3, has a structure in which a base plate (421) and a protection plate (423) face each other with a gap therebetween by a spacer (425). A silicon

adhesive (424) is applied to the side surface of this structure in order to absorb deformation generated by the different movements of the base plate (421) and the protection plate (423). Furthermore, the polarization plate (52), as shown in Fig. 7, has a structure in which a base plate (521) and a protection plate (523) face each other with a gap therebetween by a spacer (425). Similarly, the silicon adhesive (424) is applied to the side surface of this structure to absorb deformation generated by the different movements of the base plate (521) and the protection plate (523).

FIG. 3

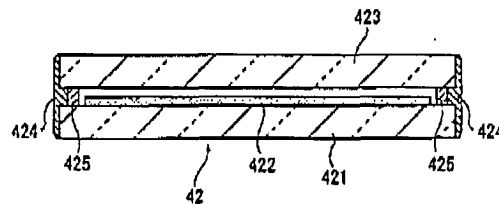
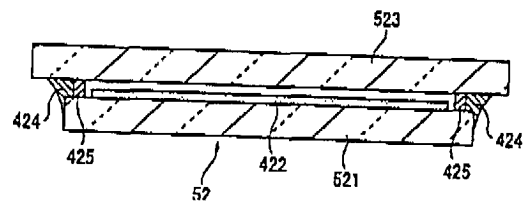


FIG. 7



Applicants' adhesive layer is unobvious from the silicon adhesive (424) of Miyazawa since they are completely different components. Applicants herein amend claim 1 to further clarify their adhesive layer feature and thereby further distinguish this feature from Miyazawa.

Therefore, claim 1 is herein amended to clarify that the presently claimed adhesive optical film includes a first layer including an optical film, a second layer including an adhesive, and a third layer including an optical film or release film, the first layer is adhered to a first surface of the second layer and the third layer is adhered to a second surface of the second layer such that the first, second and third layers are laminated without a gap therebetween. Furthermore, at least

a portion of an outer side edge of the second layer is located on the inside of an outer side edge of the first layer and located on the inside of an outer side edge of the second layer.

Miyazawa fails to disclose, teach, suggest or provide any reason for a three-layer structure. The silicon adhesive (424) is merely applied to the side surface of the structure comprised of the base plate (421), the spacer (425) and the protection plate (423). The silicon adhesive (424) of Miyazawa does not constitute one layer. However, even if the silicon adhesive (424) were to be considered a second layer, *i.e.* adhesive layer, the outer side edge of the silicon adhesive (424) is outwardly projected from the outer side edge of the base plate (421). Thus, the presently claimed invention is not rendered anticipated or obvious from Miyazawa.

Favorable reconsideration is earnestly solicited.

Claim Rejections Under 35 USC §103

Claims 1-9, 14 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Atagi (JP2000-214324A) in view of Miyazawa et al. (U.S. Patent Application Publication No. 2002/0191287). Applicants respectfully traverse this rejection.

As discussed above, Miyazawa does not anticipate or render obvious the presently claimed invention. The deficiencies of Miyazawa are not overcome by the disclosure of Atagi. Atagi merely discloses a two-layer structure of an optical film and an adhesive layer, as shown in Fig.1. Atagi does not disclose, teach, suggest or provide any reason for achieving a three-layered structure. Thus, the combined reading of Atagi in view of Miyazawa fails to render the presently claimed invention obvious.

Favorable reconsideration is earnestly solicited.

Furthermore, in the outstanding Office Action, the Examiner asserts Applicants' previous arguments in the Amendment dated August 17, 2009 regarding the differences in structure between the cited art and above-identified application, *i.e.* the punching edge type of Atagi is not equivalent to the presently claimed adhesive inside edge, must be supported by a declaration or affidavit. The Examiner states that "the reason for requiring evidence in declaration or affidavit form is to obtain the assurances that any statements or representations made are correct." See Office Action, dated November 17, 2009, page 9.

Applicants respectfully disagree with the Examiner's request for presenting Applicants' arguments in the form of a declaration or affidavit and the basis for this request. Applicants' arguments regarding the structural differences between Atagi and Applicants' adhesive optical film should be considered based on evidence already of record. Furthermore, since the cited art, Atagi, is a patent publication and Applicants' specification is a sworn document, there is no logical basis for requesting the information, which has already be sworn to, be presented in a declaration or affidavit.

Applicants arguments are based on the disclosure provided in Atagi and its obvious difference from the embodiments of Applicants' claim 3. Applicants respectfully hold that their arguments should not require additional evidence in the form of a declaration or affidavit. The documents, which the Examiner and Applicants are relying upon, are already sworn documents. Therefore, an affidavit or declaration should not be required.

Applicants respectfully request reconsideration of their arguments. Applicants respectfully request that the Examiner give proper probative weight to the sworn patent

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Amendment
Attorney Docket No.: 052519

application specification already in record as well as the information relied upon in the published patent, Atagi.

Favorable reconsideration is earnestly solicited.

In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the rejection under 35 U.S.C. §102 and the rejection under 35 U.S.C. §103 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

/BERNADETTE K. MCGANN/

Bernadette K. McGann
Attorney for Applicants
Registration No. 65,127
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

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